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SCHOOL & MASS EDUCATION DEPARTMENT

NOTIFICATION

The 21st February, 2017

Sub: Permission to open a School.

No.2950–SME-EL2-EL2-0090/2014/S&ME.— Sub-section (2) of Section 4 of the Odisha Education Act, 1969 stipulates that the State Government may " permit any person or body of persons, to establish and maintain educational institutions and recognise such institutions when so established in accordance with the provisions of this Act". Section 5 of the said Act deals with permission for establishment of educational institutions. Rule 4 of the Odisha Education (Establishment, Recognition and Management of Private Upper Primary Schools) Rules, 1991 provide for seeking permission from Competent Authority to establish Upper Primary School. Director, Elementary Education, Odisha has been authorised by the Government for issue of permission for opening of Upper Primary Schools. However, no rule has been framed for providing opening permission for establishment of Primary Schools. The Right of Children to Free & Compulsory Education Act, 2009 stipulates that no school can be established without obtaining Certificate of recognition from appropriate authority.

After due consideration, Government has been pleased to issue the following instructions on obtaining permission to open an Elementary School. This will be applicable to all kinds of Private Elementary Schools, irrespective of the medium of instruction.

The following criteria are required to be fulfilled to be eligible to get the required opening permission.

1. The School Authorities interested to open a school should be registered under the Societies Registration Act, 1860 (Act, 21 of 1860) or Indian Trusts Act.

2. The proposed school should confirm to the values enshrined in the constitution.

3. There should be sufficient financial resources for providing all required facilities to the Students and Teachers as per the OE Act, 1969 and the Right of Children to Free and Compulsory Education Act, 2009.

4. The School Authorities shall inform regarding the category of School i.e. Primary/ Upper Primary School to be opened and the medium of instruction in the School.

5. The School Authorities shall inform regarding the academic year from which the School will be opened.

6. The School Authorities shall intimate the location of the proposed School and educational requirement of the neighbourhood for opening of the School.

7. The School Authorities shall undertake to provide sufficient land situated in sanitary and healthy surroundings, required no. of class rooms, toilets, drinking water facilities, ramps, play ground and other required infrastructure for conducting all educational activities of the school within three years of receipt of opening permission.

8. The School Authorities shall undertake to engage required no. of trained teachers and non-teaching staff in the school.

9. The School Authorities shall undertake to follow all norms and standard as per Sections 19 and 25 of the Right of Children to Free and Compulsory Education Act, 2009.

10. The School Authorities will apply to concerned District Education Officer for opening permission online on or before 31st August of the year immediately preceding the academic year in which the School is proposed to be established in the portal named as **“Opening Permission to New Schools”**.

11. After receipt of application, the DEO will verify personally or through the authorized officers about the correctness of the fact mentioned in the application.

12. The educational need will be assessed taking into consideration of the enrolment of existing Government and Aided schools situated in that locality.

13. After verification of applications, the committee constituted under the Chairmanship of DEO along with DPC and BEO concerned as members will scrutinize the applications and recommend for opening of new Elementary schools to Director, Elementary Education for necessary approval.

14. After scrutinising the recommendations received from the DEO, the Director, Elementary Education will issue opening permissions to the concerned Schools through the DEO.

15. The final opening permission order will be issued by end of February every year.

16. After receipt of opening permission, the School Authorities will admit the Students, appoint required number of trained teachers, start construction of infrastructure and purchase the furniture & equipment for the students.

17. The School Authorities will also apply for Certificate of Recognition as required under section 18 of the Right of Children to Free and Compulsory Education Act, 2009 to the Director, Elementary Education before operationalising the School.

18. This notification supersedes all other previous instructions on permission to open an Elementary School.

By Order of the Governor

RANJANA CHOPRA
Commissioner-*cum*-Secretary to Government